

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

NO. 5:15-HC-2182-BO

ANGELO D. LANE,)
Petitioner,)
)
v.) ORDER
)
)
STATE OF NORTH CAROLINA,)
Respondent.)

On August 14, 2015, Angelo D. Lane filed a petition entitled “Averment of Jurisdiction.”¹ Pet., D.E.1. Following this filing, an order was entered which notified petitioner that the petition was deficient because: 1) petitioner did not pay the five dollar (\$5.00) filing fee or file an application to proceed without the prepayment of fees. Order, D.E. 3. The necessary and appropriate forms were also provided. Id. Petitioner was directed to correct the deficiency within twenty-one (21) days of the August 17, 2015 order, and he was cautioned that failure to do so may result in dismissal of his action without prejudice. Id.

The time in which to comply has run, but petitioner did not respond on the proper forms, and he did not correct his deficiencies. Instead, petitioner responded with “Notice of Judges and Officials’ Oath - Bond Obligations and Fiduciary Duties” stating, for example, that “all debts shall be payable in gold or silver coins.” D.E.4. Specifically, petitioner has not paid the filing fee or submitted an application to proceed without the prepayment of

¹The filing is made on a document with “The Moorish American National Government” title. This court is familiar with this type of filing wherein a petitioner contends he comes before the court “in propria person, sui juris” and is a member of “the lost-found Indigenous Tribes of the Moorish American Nation.” See filings.

fees or returned the forms provided to him. Petitioner's response is meritless² and fails to satisfy the court's order.

Accordingly, the matter is DISMISSED without prejudice, all pending motions [D.E. 5] are DENIED, and the case is CLOSED. The certificate of appealability is likewise DENIED. See 28 U.S.C. § 2253(c).

SO ORDERED, this 18 day of November 2015.


TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE

²In the cases addressing similar arguments with similarly incorporated language, it has been correctly held that one is not entitled to ignore the laws of the State of North or the United States by claiming membership in the "Moorish-American" nation. See, e.g., United States v. James, 328 F.3d 953, 954 (7th Cir. 2003) ("Laws of the United States apply to all persons within its borders"); Allah El v. Dist. Att'y for Bronx County, No. 09 Civ. 8746, 2009 WL 3756331, at *1 (S.D.N.Y. Nov. 4, 2009) ("Petitioner's purported status as a Moorish-American citizen does not enable him to violate state and federal laws without consequence"); cf. El-Bey v. United States, No. 1:08CV151, 2009 WL 1019999 (M.D.N.C. Jan. 26, 2009) (unpublished) (any claims or arguments raised by Plaintiff which are based on his membership in the Moorish American Nation are frivolous); and Caldwell v. Wood, 2010 WL 54416670 * 17 (W.D.N.C. 2010) (unpublished) ("The suggestion that Petitioner is entitled to ignore the laws of the State of North Carolina by claiming membership in the 'Moorish-America' nation is ludicrous.")